PERMIT NO. MIG080000

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENT, GREAT LAKES, AND ENERGY

AUTHORIZATION TO DISCHARGE UNDER THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

PETROLEUM-CONTAMINATED WASTEWATER

In compliance with the provisions of the federal Clean Water Act (federal Water Pollution Control Act, 33 U.S.C., Section 1251 *et seq*., as amended); Part 31, Water Resources Protection, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA); Part 41, Sewerage Systems, of the NREPA; and Michigan Executive Order 2019-06, treated petroleum-contaminated wastewater is authorized to be discharged from facilities specified in individual Certificates of Coverage (COCs) in accordance with effluent limitations, monitoring requirements and other conditions set forth in this general National Pollutant Discharge Elimination System (NPDES) permit (permit). Petroleum includes, but is not limited to, crude oil, gasoline, diesel fuel, kerosene, other petroleum products, and chemicals used in the recovery and refining of crude oil and added to petroleum products, such as brine, lead, and methyl tert-butyl ether (MTBE).

The applicability of this permit shall be limited to discharges of petroleum-contaminated wastewater that contains pollutants for which treatment efficiency and discharge quality can be adequately characterized by the indicator compounds benzene, ethylbenzene, toluene, xylenes, and/or the polynuclear aromatic hydrocarbons; has been treated using multistage activated carbon, air stripping, ultraviolet/oxidation, or biological treatment systems representing "best available technology economically achievable" (BAT); and has been determined by the Michigan Department of Environment, Great Lakes, and Energy (Department) not to need an individual NPDES Permit. Discharges which may cause or contribute to a violation of a water quality standard are not authorized by this permit.

In order to constitute a valid authorization to discharge, this permit must be complemented by a COC issued by the Department. The COC will specify which sections of this permit apply at the individual facility.

Unless specified otherwise, all contact with the Department required by this permit shall be to the position indicated in the COC.

This permit takes effect on April 1, 2020. The provisions of this permit are severable. After notice and opportunity for a hearing, this permit may be modified, suspended, or revoked in whole or in part during its term in accordance with applicable laws and rules.

This permit shall expire at midnight on **April 1, 2025**.

Issued: March 31, 2020.

Original signed by Christine Alexander
Christine Alexander, Manager
Permits Section
Water Resources Division

PERMIT FEE REQUIREMENTS

In accordance with Section 324.3120 of the NREPA, the permittee shall make payment of an annual permit fee to the Department for each October 1 the permit is in effect regardless of occurrence of discharge. The permittee shall submit the fee in response to the Department's annual notice. Payment may be made electronically via the Department's MiWaters system. The MiWaters website is located at https://miwaters.deq.state.mi.us. Payment shall be submitted or postmarked by January 15 for notices mailed by December 1. Payment shall be submitted or postmarked no later than 45 days after receiving the notice for notices mailed after December 1.

CONTESTED CASE INFORMATION

Any person who is aggrieved by this permit may file a sworn petition with the Michigan Administrative Hearing System within the Michigan Department of Licensing and Regulatory Affairs, c/o the Michigan Department of Environment, Great Lakes, and Energy setting forth the conditions of the permit which are being challenged and specifying the grounds for the challenge. The Department of Licensing and Regulatory Affairs may reject any petition filed more than 60 days after issuance as being untimely.

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Section A. Effluent Limitations and Monitoring Requirements

1. Final Effluent Limitations for Multi-Stage Activated Carbon Facilities

During the period beginning on the effective date of this permit and the effective date of an individual COC, and lasting until the expiration date of this permit or termination of the individual COC, the permittee is authorized to discharge treated wastewaters to the surface waters of the state. This section of the permit shall apply to wastewaters that have been treated using a multi-stage activated carbon treatment system. Such discharge shall be limited and monitored by the permittee as specified below.

	Maximum Limits for Quantity or Loading			Maximum Limits for Quality or Concentration			Monitoring	Sample
Parameter	**Monthly**	**Daily**	**Units**	**Monthly**	**Daily**	**Units**	**Frequency**	**Type**
Influent Stage Monitoring and Reporting								
Benzene	---	---	---	---	(report)	ug/l	Weekly	Grab
Ethylbenzene	---	---	---	---	(report)	ug/l	Weekly	Grab
Toluene	---	---	---	---	(report)	ug/l	Weekly	Grab
Xylenes	---	---	---	---	(report)	ug/l	Weekly	Grab
Intermediate Stage Monitoring and Reporting								
Benzene	---	---	---	---	(report)	ug/l	Weekly	Grab
Ethylbenzene	---	---	---	---	(report)	ug/l	Weekly	Grab
Toluene	---	---	---	---	(report)	ug/l	Weekly	Grab
Xylenes	---	---	---	---	(report)	ug/l	Weekly	Grab
Final Effluent Limitations, Monitoring, and Reporting								
Flow	(report)	(report)	MGD	---	---	---	Daily	Report Total Daily Flow
Total BETX	---	---	**---**	---	20	ug/l	Weekly	Calculation
Benzene	---	---	---	---	5	ug/l	Weekly	Grab
Ethylbenzene	---	---	---	---	(report)	ug/l	Weekly	Grab
Toluene	---	---	---	---	(report)	ug/l	Weekly	Grab
Xylenes	---	---	---	---	(report)	ug/l	Weekly	Grab
Total Lead	---	---	---	---	(report)	ug/l	Monthly	Grab
Outfall Observation	(report)	---	---	---	---	---	3x/Week	Visual
Equipment Inspection	(report)	---	---	---	---	---	3x/Week	Visual
				Minimum Daily				
Dissolved Oxygen	---	---	---	4.0	---	mg/l	Monthly	Grab
pH	---	---	---	6.5	9.0	S.U.	Monthly	Grab

a. Narrative Standard
The receiving water shall contain no turbidity, color, oil films, floating solids, foams, settleable solids, suspended solids, or deposits as a result of this discharge in unnatural quantities which are or may become injurious to any designated use.

b. Monitoring Location
Samples, measurements, and observations taken in compliance with the monitoring requirements above shall be taken prior to treatment for all influent monitoring and prior to the final carbon stage for

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intermediate-stage monitoring. For final effluent monitoring, samples and measurements for flow, benzene, ethylbenzene, toluene, and xylenes shall be taken prior to mixing with the surface waters of the state or any other waste stream, and samples and measurements for total lead, dissolved oxygen, and pH shall be taken prior to mixing with surface waters of the state.

c. Proper Operation and Maintenance
The permittee shall operate the multi-stage activated carbon treatment system such that the rotation of carbon stages and the replacement of spent carbon shall be initiated when an analytical result at or above the quantification level is obtained for any parameter monitored at the intermediate stage. Upon request from the permittee, the Department may approve an alternate schedule for the rotation and replacement of the carbon units.

d. Outfall Observation
Outfall observation shall be reported as "yes" or "no." The permittee shall report yes if this requirement was completed and no if this requirement was not completed. Any unusual characteristics of the discharge (i.e., unnatural turbidity, color, oil film, floating solids, foams, settleable solids, suspended solids, or deposits) shall be verbally reported within 24 hours to the Department followed with a written report within five (5) days detailing the findings of the investigation and the steps taken to correct the condition.

e. Equipment Inspection
Equipment inspection shall be reported as "yes" or "no." The permittee shall report yes if this requirement was completed and no if this requirement was not completed. The permittee shall inspect the treatment systems used to achieve compliance with the terms of the permit. The permittee shall immediately implement any corrective action for the treatment system that is noted during the inspection.

f. Remote Monitoring
Outfall observation and equipment inspection shall be conducted three (3) days per week through on-site visual inspection by qualified personnel. If qualified personnel will not be on-site three (3) days per week and the treatment system has continuous remote monitoring equipment, the permittee may request, in writing, Department approval to conduct less frequent on-site visual inspections. Upon receipt of written approval and consistent with such approval, the permittee may monitor the treatment system remotely with on-site visual inspections conducted at the frequency specified in the approval letter. At a minimum, on-site visual inspections shall be conducted two (2) days per month, approximately once every 14 days. If the remote monitoring equipment becomes temporarily inoperable, the permittee shall conduct on-site visual inspections three (3) days per week until the system is operable.

g. Total BETX (Benzene, Ethylbenzene, Toluene, and Xylenes)
Total BETX is the arithmetic sum of benzene, ethylbenzene, toluene, and xylenes. For the purpose of reporting on the Daily tab of the Discharge Monitoring Report (DMR), individual sample results less than the quantification level shall be reported using the less than sign “<” and the quantification value (e.g. <1.0 ug/L). Calculations shall be made using the quantification level in place of any sample result less than the quantification level, and the calculated value (“X”) resulting from any calculation made using one or more sample results below quantification shall be reported as less than the calculated value X (i.e., “<X”). For example calculations, see page 3 of the document entitled “Reporting Results Below Quantification,” available at https://www.michigan.gov/documents/deq/wrd-npdes-results-quantification_620791_7.pdf.

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2. Final Effluent Limitations for Air Stripper Facilities

During the period beginning on the effective date of this permit and the effective date of an individual COC, and lasting until the expiration date of this permit or termination of the individual COC, the permittee is authorized to discharge treated wastewaters to the surface waters of the state. This section of the permit shall apply to wastewaters that have been treated using an air stripping treatment system. Such discharge shall be limited and monitored by the permittee as specified below.

	Maximum Limits for Quantity or Loading			Maximum Limits for Quality or Concentration			Monitoring	Sample
Parameter	**Monthly**	**Daily**	**Units**	**Monthly**	**Daily**	**Units**	**Frequency**	**Type**
Influent Stage Monitoring and Reporting								
Benzene	---	---	---	---	(report)	ug/l	Weekly	Grab
Ethylbenzene	---	---	---	---	(report)	ug/l	Weekly	Grab
Toluene	---	---	---	---	(report)	ug/l	Weekly	Grab
Xylenes	---	---	---	---	(report)	ug/l	Weekly	Grab
Final Effluent Limitations, Monitoring, and Reporting								
Flow	(report)	(report)	MGD	---	---	---	Daily	Report Total Daily Flow
Total BETX	---	---	**---**	---	20	ug/l	Weekly	Calculation
Benzene	---	---	---	---	5	ug/l	Weekly	Grab
Ethylbenzene	---	---	---	---	(report)	ug/l	Weekly	Grab
Toluene	---	---	---	---	(report)	ug/l	Weekly	Grab
Xylenes	---	---	---	---	(report)	ug/l	Weekly	Grab
Polynuclear Aromatic Hydrocarbons (PAHs)								
Acenaphthene	---	---	---	---	5	ug/l	Weekly	Grab
Acenaphthylene	---	---	---	---	5	ug/l	Weekly	Grab
Anthracene	---	---	---	---	5	ug/l	Weekly	Grab
Benzo(a)Anthracene	---	---	---	0.31	(report)	ug/l	Weekly	Grab
Benzo(a)Pyrene	---	---	---	0.31	(report)	ug/l	Weekly	Grab
Benzo(b)Fluoranthene	---	---	---	0.31	(report)	ug/l	Weekly	Grab
Benzo(g,h,i)Perylene	---	---	---	---	5	ug/l	Weekly	Grab
Benzo(k)Fluoranthene	---	---	---	0.31	(report)	ug/l	Weekly	Grab
Chrysene	---	---	---	0.31	(report)	ug/l	Weekly	Grab
Dibenzo(a,h)Anthracene	---	---	---	0.31	(report)	ug/l	Weekly	Grab
Fluoranthene	---	---	---	1.6	5	ug/l	Weekly	Grab
Fluorene	---	---	---	---	5	ug/l	Weekly	Grab
Indeno(1,2,3-c,d)Pyrene	---	---	---	0.31	(report)	ug/l	Weekly	Grab
Naphthalene	---	---	---	---	5	ug/l	Weekly	Grab
Phenanthrene	---	---	---	1.7	5	ug/l	Weekly	Grab
Pyrene	---	---	---	---	5	ug/l	Weekly	Grab

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	Maximum Limits for Quantity or Loading			Maximum Limits for Quality or Concentration			Monitoring	Sample
Parameter	**Monthly**	**Daily**	**Units**	**Monthly**	**Daily**	**Units**	**Frequency**	**Type**
Final Effluent Limitations, Monitoring, and Reporting, Continued								
Total Lead	---	---	---	---	(report)	ug/l	Monthly	Grab
Outfall Observation	(report)	---	---	---	---	---	3x/Week	Visual
Equipment Inspection	(report)	---	---	---	---	---	3x/Week	Visual
				Minimum Daily				
pH	---	---	---	6.5	9.0	S.U.	Monthly	Grab

a. Narrative Standard
The receiving water shall contain no turbidity, color, oil films, floating solids, foams, settleable solids, suspended solids, or deposits as a result of this discharge in unnatural quantities which are or may become injurious to any designated use.

b. Monitoring Location
Samples, measurements, and observations taken in compliance with the monitoring requirements above shall be taken: prior to treatment for all influent monitoring; prior to mixing with the surface waters of the state or any other waste stream for flow, benzene, ethylbenzene, toluene, xylenes, and all PAH parameters; and prior to mixing with surface waters of the state for total lead and pH.

c. Proper Operation and Maintenance
The permittee shall not discharge sludges, suspended solids, or settleable solids to the surface waters of the state during periodic cleaning of the air stripper.

d. Outfall Observation
Outfall observation shall be reported as "yes" or "no." The permittee shall report yes if this requirement was completed and no if this requirement was not completed. Any unusual characteristics of the discharge (i.e., unnatural turbidity, color, oil film, floating solids, foams, settleable solids, suspended solids, or deposits) shall be verbally reported within 24 hours to the Department followed with a written report within five (5) days detailing the findings of the investigation and the steps taken to correct the condition.

e. Equipment Inspection
Equipment inspection shall be reported as "yes" or "no." The permittee shall report yes if this requirement was completed and no if this requirement was not completed. The permittee shall inspect the treatment systems used to achieve compliance with the terms of the permit. The permittee shall immediately implement any corrective action for the treatment system that is noted during the inspection.

f. Remote Monitoring
Outfall observation and equipment inspection shall be conducted three (3) days per week through on-site visual inspection by qualified personnel. If qualified personnel will not be on-site three (3) days per week and the treatment system has continuous remote monitoring equipment, the permittee may request, in writing, Department approval to conduct less frequent on-site visual inspections. Upon receipt of written approval and consistent with such approval, the permittee may monitor the treatment system remotely with on-site visual inspections conducted at the frequency specified in the approval letter. At a minimum, on-site visual inspections shall be conducted two (2) days per month, approximately once every 14 days. If the remote monitoring equipment becomes temporarily

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inoperable, the permittee shall conduct on-site visual inspections three (3) days per week until the system is operable.

g. Total BETX (Benzene, Ethylbenzene, Toluene, and Xylenes)
Total BETX is the arithmetic sum of benzene, ethylbenzene, toluene, and xylenes. For the purpose of reporting on the Daily tab of the Discharge Monitoring Report (DMR), individual sample results less than the quantification level shall be reported using the less than sign "<" and the quantification value (e.g. <1.0 ug/L). Calculations shall be made using the quantification level in place of any sample result less than the quantification level, and the calculated value ("X") resulting from any calculation made using one or more sample results below quantification shall be reported as less than the calculated value X (i.e., "<X"). For example calculations, see page 3 of the document entitled "Reporting Results Below Quantification," available at https://www.michigan.gov/documents/deq/wrd-npdes-results-quantification_620791_7.pdf.

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3. Final Effluent Limitations for Ultraviolet/Oxidation Facilities

During the period beginning on the effective date of this permit and the effective date of an individual COC, and lasting until the expiration date of this permit or termination of the individual COC, the permittee is authorized to discharge treated wastewaters to the surface waters of the state. This section of the permit shall apply to wastewaters that have been treated using an ultraviolet/oxidation treatment system. Such discharge shall be limited and monitored by the permittee as specified below.

	Maximum Limits for Quantity or Loading			Maximum Limits for Quality or Concentration			Monitoring	Sample
Parameter	**Monthly**	**Daily**	**Units**	**Monthly**	**Daily**	**Units**	**Frequency**	**Type**
Influent Stage Monitoring and Reporting								
Benzene	---	---	---	---	(report)	ug/l	Weekly	Grab
Ethylbenzene	---	---	---	---	(report)	ug/l	Weekly	Grab
Toluene	---	---	---	---	(report)	ug/l	Weekly	Grab
Xylenes	---	---	---	---	(report)	ug/l	Weekly	Grab
Final Effluent Limitations, Monitoring, and Reporting								
Flow	(report)	(report)	MGD	---	---	---	Daily	Report Total Daily Flow
Total BETX	---	---	**---**	---	20	ug/l	Weekly	Calculation
Benzene	---	---	---	---	5	ug/l	Weekly	Grab
Ethylbenzene	---	---	---	---	(report)	ug/l	Weekly	Grab
Toluene	---	---	---	---	(report)	ug/l	Weekly	Grab
Xylenes	---	---	---	---	(report)	ug/l	Weekly	Grab
Polynuclear Aromatic Hydrocarbons (PAHs)								
Acenaphthene	---	---	---	---	5	ug/l	Weekly	Grab
Acenaphthylene	---	---	---	---	5	ug/l	Weekly	Grab
Anthracene	---	---	---	---	5	ug/l	Weekly	Grab
Benzo(a)Anthracene	---	---	---	0.31	(report)	ug/l	Weekly	Grab
Benzo(a)Pyrene	---	---	---	0.31	(report)	ug/l	Weekly	Grab
Benzo(b)Fluoranthene	---	---	---	0.31	(report)	ug/l	Weekly	Grab
Benzo(g,h,i)Perylene	---	---	---	---	5	ug/l	Weekly	Grab
Benzo(k)Fluoranthene	---	---	---	0.31	(report)	ug/l	Weekly	Grab
Chrysene	---	---	---	0.31	(report)	ug/l	Weekly	Grab
Dibenzo(a,h)Anthracene	---	---	---	0.31	(report)	ug/l	Weekly	Grab
Fluoranthene	---	---	---	1.6	5	ug/l	Weekly	Grab
Fluorene	---	---	---	---	5	ug/l	Weekly	Grab
Indeno(1,2,3-c,d)Pyrene	---	---	---	0.31	(report)	ug/l	Weekly	Grab
Naphthalene	---	---	---	---	5	ug/l	Weekly	Grab
Phenanthrene	---	---	---	1.7	5	ug/l	Weekly	Grab
Pyrene	---	---	---	---	5	ug/l	Weekly	Grab

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Parameter	Maximum Limits for Quantity or Loading: Monthly	Daily	Units	Maximum Limits for Quality or Concentration: Monthly	Daily	Units	Monitoring Frequency	Sample Type
Final Effluent Limitations, Monitoring, and Reporting, Continued								
Hydrogen Peroxide	---	---	---	<50	(report)	ug/l	Weekly	Grab
Additive Dose Rate	---	---	---	---	(report)	mg/l	Daily	Calculation
Total Lead	---	---	---	---	(report)	ug/l	Monthly	Grab
Outfall Observation	(report)	---	---	---	---	---	3x/Week	Visual
Equipment Inspection	(report)	---	---	---	---	---	3x/Week	Visual
				Minimum Daily				
pH	---	---	---	6.5	9.0	S.U.	Monthly	Grab

a. Narrative Standard
The receiving water shall contain no turbidity, color, oil films, floating solids, foams, settleable solids, suspended solids, or deposits as a result of this discharge in unnatural quantities which are or may become injurious to any designated use.

b. Monitoring Location
Samples, measurements, and observations taken in compliance with the monitoring requirements above shall be taken: prior to treatment for all influent monitoring; prior to mixing with the surface waters of the state or any other waste stream for flow, benzene, ethylbenzene, toluene, xylenes, and all PAH parameters; and prior to mixing with surface waters of the state for hydrogen peroxide, total lead, and pH.

c. Limits Below the Quantification Level – Hydrogen Peroxide
The sampling procedures, preservation and handling, and analytical protocol for compliance monitoring for hydrogen peroxide shall use Chemetrics, Hydrogen Peroxide Chemets Kit K-5510 (Ferric Thiocyanate Method). The quantification level shall be 50 µg/l unless higher levels are appropriate because of sample matrix interference. Justification for a higher quantification level shall be submitted to the Department within 30 days of such determination. Other analytical methods may be used upon approval of the Department.

The water quality-based effluent limitation for hydrogen peroxide is 10 ug/l as a maximum monthly average. This is less than the quantification level. Control requirements are therefore established consistent with R 323.1213. **Any discharge of hydrogen peroxide at or above the quantification level is a specific violation of this permit**. If concentrations in all samples representing a monitoring period are less than the quantification level, the permittee will be considered to be in compliance with the permit for the monitoring period that the samples represent, provided that the permittee is also in full compliance with the operation of the ultraviolet/oxidation treatment system. For the purpose of reporting on the Daily tab of the DMR, individual sample results less than the quantification level shall be reported as "<50." Calculations shall be made using the quantification level in place of any sample result less than the quantification level, and the calculated value ("X") resulting from any calculation made using one or more sample results below quantification shall be reported as less than the calculated value X (i.e., "<X"). For additional guidance including examples, see the document entitled “Reporting Results Below Quantification,” available at: https://www.michigan.gov/documents/deq/wrd-npdes-results-quantification_620791_7.pdf.

This permit condition does not authorize the discharge of this parameter at levels that are injurious to the designated uses of the waters of the state or that constitute a threat to the public health or welfare.

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d. Outfall Observation
Outfall observation shall be reported as "yes" or "no." The permittee shall report yes if this requirement was completed and no if this requirement was not completed. Any unusual characteristics of the discharge (i.e., unnatural turbidity, color, oil film, floating solids, foams, settleable solids, suspended solids, or deposits) shall be verbally reported within 24 hours to the Department followed with a written report within five (5) days detailing the findings of the investigation and the steps taken to correct the condition.

e. Equipment Inspection
Equipment inspection shall be reported as "yes" or "no." The permittee shall report yes if this requirement was completed and no if this requirement was not completed. The permittee shall inspect the treatment systems used to achieve compliance with the terms of the permit. The permittee shall immediately implement any corrective action for the treatment system that is noted during the inspection.

f. Remote Monitoring
Outfall observation and equipment inspection shall be conducted three (3) days per week through on-site visual inspection by qualified personnel. If qualified personnel will not be on-site three (3) days per week and the treatment system has continuous remote monitoring equipment, the permittee may request, in writing, Department approval to conduct less frequent on-site visual inspections. Upon receipt of written approval and consistent with such approval, the permittee may monitor the treatment system remotely with on-site visual inspections conducted at the frequency specified in the approval letter. At a minimum, on-site visual inspections shall be conducted two (2) days per month, approximately once every 14 days. If the remote monitoring equipment becomes temporarily inoperable, the permittee shall conduct on-site visual inspections three (3) days per week until the system is operable.

g. Total BETX (Benzene, Ethylbenzene, Toluene, and Xylenes)
Total BETX is the arithmetic sum of benzene, ethylbenzene, toluene, and xylenes. For the purpose of reporting on the Daily tab of the Discharge Monitoring Report (DMR), individual sample results less than the quantification level shall be reported using the less than sign "<" and the quantification value (e.g. <1.0 ug/L). Calculations shall be made using the quantification level in place of any sample result less than the quantification level, and the calculated value ("X") resulting from any calculation made using one or more sample results below quantification shall be reported as less than the calculated value X (i.e., "<X"). For example calculations, see page 3 of the document entitled "Reporting Results Below Quantification," available at https://www.michigan.gov/documents/deq/wrd-npdes-results-quantification_620791_7.pdf.

h. Oxidation with Hydrogen Peroxide or Ozone
Use of hydrogen peroxide or ozone as an oxidant requires approval as a water treatment additive under Part I.A.16. Hydrogen peroxide monitoring and reporting is not required if ozone is used as the oxidant source. For the purpose of reporting on the Daily and Summary tabs of the Discharge Monitoring Report (DMR), when ozone is used as the oxidant source, the permittee shall enter "*G" for hydrogen peroxide. (For purposes of reporting on the Daily tab of the DMR, the permittee shall enter "*G" on the first day of the month only).

i. Additive Dose Rate
If specified on the COC, the permittee shall report the amount of the specified additive used per day. The Department may specify on the COC that the dose rates of multiple additives be reported. The Department may revise this requirement upon notification to the permittee.

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4. Final Effluent Limitations for Biological Treatment Facilities

During the period beginning on the effective date of this permit and the effective date of an individual COC, and lasting until the expiration date of this permit or termination of the individual COC, the permittee is authorized to discharge treated wastewaters to the surface waters of the state. This section of the permit shall apply to wastewaters that have been treated using a biological treatment system. Such discharge shall be limited and monitored by the permittee as specified below.

	Maximum Limits for Quantity or Loading			Maximum Limits for Quality or Concentration			Monitoring	Sample
Parameter	**Monthly**	**Daily**	**Units**	**Monthly**	**Daily**	**Units**	**Frequency**	**Type**
Influent Stage Monitoring and Reporting								
Benzene	---	---	---	---	(report)	ug/l	Weekly	Grab
Ethylbenzene	---	---	---	---	(report)	ug/l	Weekly	Grab
Toluene	---	---	---	---	(report)	ug/l	Weekly	Grab
Xylenes	---	---	---	---	(report)	ug/l	Weekly	Grab
Final Effluent Limitations, Monitoring, and Reporting								
Flow	(report)	(report)	MGD	---	---	---	Daily	Report Total Daily Flow
Total BETX	---	---	**---**	---	20	ug/l	Weekly	Calculation
Benzene	---	---	---	---	5	ug/l	Weekly	Grab
Ethylbenzene	---	---	---	---	(report)	ug/l	Weekly	Grab
Toluene	---	---	---	---	(report)	ug/l	Weekly	Grab
Xylenes	---	---	---	---	(report)	ug/l	Weekly	Grab
Polynuclear Aromatic Hydrocarbons (PAHs)								
Acenaphthene	---	---	---	---	5	ug/l	Weekly	Grab
Acenaphthylene	---	---	---	---	5	ug/l	Weekly	Grab
Anthracene	---	---	---	---	5	ug/l	Weekly	Grab
Benzo(a)Anthracene	---	---	---	0.31	(report)	ug/l	Weekly	Grab
Benzo(a)Pyrene	---	---	---	0.31	(report)	ug/l	Weekly	Grab
Benzo(b)Fluoranthene	---	---	---	0.31	(report)	ug/l	Weekly	Grab
Benzo(g,h,i)Perylene	---	---	---	---	5	ug/l	Weekly	Grab
Benzo(k)Fluoranthene	---	---	---	0.31	(report)	ug/l	Weekly	Grab
Chrysene	---	---	---	0.31	(report)	ug/l	Weekly	Grab
Dibenzo(a,h)Anthracene	---	---	---	0.31	(report)	ug/l	Weekly	Grab
Fluoranthene	---	---	---	1.6	5	ug/l	Weekly	Grab
Fluorene	---	---	---	---	5	ug/l	Weekly	Grab
Indeno(1,2,3-c,d)Pyrene	---	---	---	0.31	(report)	ug/l	Weekly	Grab
Naphthalene	---	---	---	---	5	ug/l	Weekly	Grab
Phenanthrene	---	---	---	1.7	5	ug/l	Weekly	Grab
Pyrene	---	---	---	---	5	ug/l	Weekly	Grab

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Parameter	Maximum Limits for Quantity or Loading: Monthly	Daily	Units	Maximum Limits for Quality or Concentration: Monthly	Daily	Units	Monitoring Frequency	Sample Type
Final Effluent Limitations, Monitoring, and Reporting, Continued								
Total Suspended Solids (TSS)		---	---	20	30	mg/l	Weekly	24-Hr Composite
Carbonaceous Biochemical Oxygen Demand (CBOD5) (see g. below)	---	---	---	4	10	mg/l	Weekly	24-Hr Composite
Ammonia Nitrogen (as N) (see g. below)	---	---	---	0.5	2.0	mg/l	Weekly	24-Hr Composite
Total Phosphorus	---	---	---	1.0	(report)	mg/l	Weekly	24-Hr Composite
Total Lead	---	---	---	---	(report)	ug/l	Monthly	Grab
Outfall Observation	(report)	---	---	---	---	---	3x/Week	Visual
Equipment Inspection	(report)	---	---	---	---	---	3x/Week	Visual
				Minimum Daily				
Dissolved Oxygen (see g. below)	---	---	---	4.0	---	mg/l	Weekly	Grab
pH	---	---	---	6.5	9.0	S.U.	Monthly	Grab

a. Narrative Standard
The receiving water shall contain no turbidity, color, oil films, floating solids, foams, settleable solids, or deposits as a result of this discharge in unnatural quantities which are or may become injurious to any designated use.

b. Monitoring Location
Samples, measurements, and observations taken in compliance with the monitoring requirements above shall be taken: prior to treatment for all influent monitoring; prior to mixing with the surface waters of the state or any other waste stream for flow benzene, ethylbenzene, toluene, xylenes, and all PAH parameters; and prior to mixing with surface waters of the state for TSS, CBOD5, ammonia nitrogen, total phosphorus, total lead, dissolved oxygen, and pH.

c. Outfall Observation
Outfall observation shall be reported as "yes" or "no." The permittee shall report yes if this requirement was completed and no if this requirement was not completed. Any unusual characteristics of the discharge (i.e., unnatural turbidity, color, oil film, floating solids, foams, settleable solids, suspended solids, or deposits) shall be verbally reported within 24 hours to the Department followed with a written report within five (5) days detailing the findings of the investigation and the steps taken to correct the condition.

d. Equipment Inspection
Equipment inspection shall be reported as "yes" or "no." The permittee shall report yes if this requirement was completed and no if this requirement was not completed. The permittee shall inspect the treatment systems used to achieve compliance with the terms of the permit. The permittee shall immediately implement any corrective action for the treatment system that is noted during the inspection.

e. Remote Monitoring
Outfall observation and equipment inspection shall be conducted three (3) days per week through on-site visual inspection by qualified personnel. If qualified personnel will not be on-site three (3) days per

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week and the treatment system has continuous remote monitoring equipment, the permittee may request, in writing, Department approval to conduct less frequent on-site visual inspections. Upon receipt of written approval and consistent with such approval, the permittee may monitor the treatment system remotely with on-site visual inspections conducted at the frequency specified in the approval letter. At a minimum, on-site visual inspections shall be conducted two (2) days per month, approximately once every 14 days. If the remote monitoring equipment becomes temporarily inoperable, the permittee shall conduct on-site visual inspections three (3) days per week until the system is operable.

f. Total BETX (Benzene, Ethylbenzene, Toluene, and Xylenes)
Total BETX is the arithmetic sum of benzene, ethylbenzene, toluene, and xylenes. For the purpose of reporting on the Daily tab of the Discharge Monitoring Report (DMR), individual sample results less than the quantification level shall be reported using the less than sign "<" and the quantification value (e.g. <1.0 ug/L). Calculations shall be made using the quantification level in place of any sample result less than the quantification level, and the calculated value ("X") resulting from any calculation made using one or more sample results below quantification shall be reported as less than the calculated value X (i.e., "<X"). For example calculations, see page 3 of the document entitled "Reporting Results Below Quantification," available at https://www.michigan.gov/documents/deq/wrd-npdes-results-quantification_620791_7.pdf.

g. CBOD5, Ammonia Nitrogen, and Dissolved Oxygen Requirements
The Department may determine that a particular discharge does not have the reasonable potential to exceed water quality-based effluent limitations for CBOD5, ammonia nitrogen, and/or dissolved oxygen and therefore the effluent limitations for these parameters specified in Part I.A.4. of this permit are not applicable. In this case, the Department may only require the permittee to monitor the concentrations of these parameters in the discharge. If these determinations have been made for any or all of these parameters, the individual COC will either indicate that the limitations shall not apply or that the effluent limitations and monitoring requirements shall not apply.

5. Additional Final Effluent Limitations for In-Situ Bio-Remediation

If the discharge is the result of a groundwater remediation that includes in-situ bio-remediation with nutrient addition as part of a corrective action program, and indicated on the individual COC, the following additional final effluent limitations shall apply, and the discharge shall be limited and monitored by the permittee as specified below.

	Maximum Limits for Quantity or Loading			Maximum Limits for Quality or Concentration			Monitoring	Sample
Parameter	Monthly	Daily	Units	Monthly	Daily	Units	Frequency	Type
Total Phosphorus	---	---	---	1.0	(report)	mg/l	2x Monthly	Grab
Ammonia Nitrogen (as N)	---	---	---	0.5	(report)	mg/l	2x Monthly	Grab

a. Monitoring Location
Samples and measurements taken in compliance with the monitoring requirements above shall be taken prior to mixing with surface waters of the state.

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6. Additional Final Effluent Limitations for MTBE

If gasoline is the source of contamination and the gasoline contained MTBE as an additive, or if it is determined by the Department to be necessary to ensure compliance with water quality standards and/or BAT limitations/requirements, and indicated on the individual COC, the following additional final effluent limitations shall apply, and the discharge shall be limited and monitored by the permittee as specified below.

	Maximum Limits for Quantity or Loading			Maximum Limits for Quality or Concentration			Monitoring	Sample
Parameter	**Monthly**	**Daily**	**Units**	**Monthly**	**Daily**	**Units**	**Frequency**	**Type**
MTBE	---	---	---	---	100	ug/l	Weekly	Grab

a. Monitoring Location
Samples and measurements taken in compliance with the monitoring requirements above shall be taken prior to mixing with surface waters of the state or any other waste stream.

7. Additional Final Effluent Limitations for Diesel Range Organics (DRO)

If petroleum hydrocarbons are a source of contamination and treatment may not sufficiently be monitored by the BETX parameters, and if indicated on the individual COC, the following additional final effluent limitations shall apply, and the discharge shall be limited and monitored by the permittee as specified below.

	Maximum Limits for Quantity or Loading			Maximum Limits for Quality or Concentration			Monitoring	Sample
Parameter	**Monthly**	**Daily**	**Units**	**Monthly**	**Daily**	**Units**	**Frequency**	**Type**
Influent Stage Monitoring and Reporting								
Diesel Range Organics (DRO)	---	---	---	---	(report)	ug/l	Weekly	Grab
Intermediate Stage Monitoring and Reporting								
DRO	---	---	---	---	(report)	ug/l	Weekly	Grab
Final Effluent Limitations, Monitoring, and Reporting								
DRO	---	---	---	---	100	ug/l	Weekly	Grab

a. Monitoring Location
Samples and measurements taken in compliance with the monitoring requirements above shall be taken prior to treatment for all influent monitoring and prior to the final treatment for intermediate-stage monitoring. and after treatment but prior to mixing with any other waste stream for all effluent monitoring.

b. Total BETX Monitoring and Limitations
The COC will specify the treatment type coverage under Part I.A.1., Part I.A.2., Part I.A.3., or Part I.A.4., and will indicate if BETX monitoring and limitations are not required.

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8. Additional Final Effluent Limitations for Total Phosphorus

If it is determined by the Department to be necessary to ensure compliance with water quality standards and/or BAT limitations/requirements, and indicated on the individual COC, the following additional final effluent limitations shall apply, and the discharge shall be limited and monitored by the permittee as specified below.

	Maximum Limits for Quantity or Loading			Maximum Limits for Quality or Concentration			Monitoring	Sample
Parameter	**Monthly**	**Daily**	**Units**	**Monthly**	**Daily**	**Units**	**Frequency**	**Type**
Total Phosphorus	---	---	---	1.0	(report)	mg/l	2x Monthly	Grab

a. Monitoring Location
Samples and measurements taken in compliance with the monitoring requirements above shall be taken prior to mixing with the surface waters of the state.

9. Additional Final Effluent Limitations for Total Residual Chlorine

If it is determined by the Department to be necessary to ensure compliance with water quality standards and/or BAT limitations/requirements, and indicated on the individual COC, the following additional final effluent limitations shall apply, and the discharge shall be limited and monitored by the permittee as specified below.

	Maximum Limits for Quantity or Loading			Maximum Limits for Quality or Concentration			Monitoring	Sample
Parameter	**Monthly**	**Daily**	**Units**	**Monthly**	**Daily**	**Units**	**Frequency**	**Type**
Total Residual Chlorine (TRC)								
Continuous (greater than 160 min/day)			---	---	38	ug/l	Daily	Grab
TRC Discharge Duration		(report)	min/day	---	---	---	Daily	Report Total Discharge Duration
				Daily Average	**Instantaneous Maximum**			
Intermittent (less than/equal to 160 min/day)			---	200	300	ug/l	Daily	Grab
TRC Discharge Duration		160	min/day	---	---	---	Daily	Report Total Discharge Duration

a. Analytical and Monitoring Requirements
TRC shall be analyzed in accordance with Part II.B.2. of this permit.

If chlorine discharge is intermittent, TRC monitoring is only required during periods of chlorine use and subsequent discharge. Limitations for the intermittent discharge of chlorine apply only when the discharge of chlorine is less than or equal to 160 minutes per day; otherwise, the limitations for continuous discharge of chlorine apply.

During the intermittent discharge of chlorine, the daily concentration value reported for TRC shall be the average of a minimum of three (3) equally spaced grab samples taken during a chlorine discharge event, with the additional limitation that no single sample may exceed 300 ug/l.

The permittee shall enter "*G" on the DMR for the TRC discharge modes not being used. (For purposes of reporting on the Daily tab of the DMR, the permittee shall enter “*G” on the first day of the month only).

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The permittee may use dechlorination techniques to achieve the applicable TRC limitations, using sodium thiosulfate, sodium sulfite, sodium bisulfite, or other dechlorinating reagents approved by the Department. The quantity of the reagent(s) used shall be limited to 0.6 times the stoichiometric amount of TRC for sodium thiosulfate, 1.5 times the stoichiometric amount of TRC for sodium bisulfite, and 1.8 times the stoichiometric amount of TRC for sodium sulfite. The TRC samples taken to determine the amount of each chemical to add shall be taken upstream of dechlorination.

b. Monitoring Location
Samples and measurements taken in compliance with the monitoring requirements above shall be take prior to mixing with surface waters of the state.

c. Chlorine Use
Use of chlorine requires approval as a water treatment additive under Part I.A.16.

10. Additional Final Effluent Limitations During Well Screen Cleaning

During the period beginning on the effective date of this permit and the effective date of an individual COC, and lasting until the expiration of this permit or termination of the individual COC, the permittee is authorized to discharge well screen cleaning water to the surface waters of the state when chlorine or acid is used to clean the purge well screens. This section shall apply to all permittees. Such discharge shall be limited and monitored by the permittee as specified below.

	Maximum Limits for Quantity or Loading			Maximum Limits for Quality or Concentration			Monitoring	Sample
Parameter	**Monthly**	**Daily**	**Units**	**Monthly**	**Daily**	**Units**	**Frequency**	**Type**
Total Residual Chlorine (TRC)	---	---	---	---	38	ug/l	Daily	Grab
				Minimum Daily				
pH	---	---	---	6.5	9.0	S.U.	Daily	Grab

a. Analytical and Monitoring Requirements
TRC shall be analyzed in accordance with Part II.B.2. of this permit.

Monitoring for TRC shall be in addition to all other monitoring requirements specified by the individual COC for this discharge. Monitoring for TRC shall be required only during periods of chlorine use and subsequent discharge.

The permittee may use dechlorination techniques to achieve the applicable TRC limitations, using sodium thiosulfate, sodium sulfite, sodium bisulfite, or other dechlorinating reagents approved by the Department. The quantity of the reagent(s) used shall be limited to 0.6 times the stoichiometric amount of TRC for sodium thiosulfate, 1.5 times the stoichiometric amount of TRC for sodium bisulfite, and 1.8 times the stoichiometric amount of TRC for sodium sulfite. The TRC samples taken to determine the amount of each chemical to add shall be taken upstream of dechlorination.

b. Monitoring Location
Samples and measurements taken in compliance with the monitoring requirements above shall be take prior to mixing with surface waters of the state.

c. Chlorine and/or Acid Use
Use of chlorine or acid requires approval as a water treatment additive under Part I.A.16.

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11. Additional Monitoring

The Department may determine that additional monitoring is necessary to ensure adequate operation of the treatment system and/or to ensure that the discharge will not cause or contribute to a violation of water quality standards. If such a determination is made, the Department will notify the permittee in writing of the additional monitoring requirements.

12. Monitoring Frequency Reduction

After steady-state conditions have been achieved and at least 12 months of data have been submitted, the permittee may request, in writing, Department approval for a reduction in monitoring frequency. This request shall contain an explanation as to why the reduced monitoring is appropriate. Upon receipt of written approval and consistent with such approval, the permittee may reduce the monitoring frequency specified in this permit. Parameter-specific considerations are set forth below.

Monitoring for BETX, DRO, PAHs, and MTBE may be reduced to a frequency the permittee has demonstrated, in writing, will ensure proper operation of the treatment system and not cause or contribute to a violation of water quality standards. The monitoring frequency for BETX, DRO, PAHs, and MTBE shall not be reduced to less than once per month.

Monitoring for total lead, total phosphorus (for facilities not covered under Part I.A.4., Final Effluent Limitations for Biological Treatment Systems, or Part I.A.5., Additional Final Effluent Limitations for In-Situ Bio-Remediation), dissolved oxygen, and pH may be reduced upon written demonstration by the permittee that these parameters consistently meet water quality standards.

On-site equipment inspection and outfall observation shall not be reduced to less than twice per month. Proper installation and operation of continuous remote monitoring equipment in conjunction with on-site visual inspection performed by qualified personnel shall be considered by the Department when evaluating requests for monitoring frequency reductions for equipment inspection and outfall observation.

Monitoring for total suspended solids, CBOD5, ammonia nitrogen, total phosphorus (for facilities covered under Part I.A.4., Final Effluent Limitations for Biological Treatment Systems, or Part I.A.5., Additional Final Effluent Limitations for In-Situ Bio-Remediation), and hydrogen peroxide shall not be reduced.

Reissuance or modification of the facility's individual COC or reissuance or modification of this permit shall not affect previously-approved monitoring frequency reductions unless the permittee is provided written notification of such changes from the Department. The Department may revoke any approval for reduced monitoring at any time upon notification to the permittee.

13. Authorization to Discharge

Coverage under this permit does not convey approval to discharge to any ditch, storm sewer, private property, or other method of routing the effluent from the site of origin to the waters of the state. Nor does issuance of this permit or an individual COC constitute approval by the Department of a groundwater remedial plan. It shall be the permittee's responsibility to seek, apply for, and obtain any additional authorizations necessary to initiate the discharge proposed in the permittee's application. The authorization to discharge under an individual COC is based upon the permittee providing treatment as identified in the application. If the permittee proposes to modify the treatment system, the permittee shall notify the Department. The Department may request that the permittee submit a modification request to amend the treatment system described in the application. Upon review of the proposed changes, the Department may terminate the individual COC, modify the COC, or require an individual NPDES permit for the proposed discharge.

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14. Aquifer Testing, Monitoring, and Reporting

All limitations, terms, conditions, and treatment requirements of this permit shall apply during periods of short-term aquifer testing. During aquifer testing, additional monitoring and reporting may be required by the Department to ensure that the discharge is meeting the applicable BAT requirements and water quality standards.

15. Discharge to Groundwaters

A facility covered under this permit is a known source of groundwater pollution. This permit does not authorize any discharge to the groundwaters of the state or venting of contaminated groundwaters to the surface waters of the state, nor does it constitute a release of liability for any groundwater contamination at or around the site. The state reserves its rights to seek remedies to abate any groundwater contamination.

16. Request for Approval to Use Water Treatment Additives

This permit does not authorize the use of any water treatment additive without prior written approval from the Department. Such approval is authorized under separate correspondence. Water treatment additives include any materials that are added to water used at the facility, or to wastewater generated by the facility, to condition or treat the water. Permittees proposing to use water treatment additives, including a proposed increased concentration of a previously approved water treatment additive, shall submit a request for approval via the Department's MiWaters system. The MiWaters website is located at https://miwaters.deq.state.mi.us. Instructions for submitting such a request may be obtained at http://www.michigan.gov/EGLEnpdes at (near the bottom of that page, click on one or both of the links located under the Water Treatment Additives banner). Additional monitoring and reporting may be required as a condition of approval to use the water treatment additive.

A request for approval to use water treatment additives shall include all of the following usage and discharge information for each water treatment additive proposed to be used:

a. The Safety Data Sheet (SDS);

b. Ingredient information, including the name of each ingredient, CAS number for each ingredient, and fractional content by weight for each ingredient;

c. The proposed water treatment additive discharge concentration with supporting calculations;

d. The discharge frequency (i.e., number of hours per day and number of days per year);

e. The outfall(s) and monitoring point(s) from which the water treatment additive is to be discharged;

f. The type of removal treatment, if any, that the water treatment additive receives prior to discharge;

g. The water treatment additive's function (i.e., microbiocide, flocculant, etc.);

h. The SDS shall include a 48-hour LC50 or EC50 for a North American freshwater planktonic crustacean (either *Ceriodaphnia sp*., *Daphnia sp*., or *Simocephalus sp*.). The results shall be based on the whole water treatment additive, shall not be results based on a similar product, and shall not be estimated; and

i. The SDS shall include the results of a toxicity test for one (1) other North American freshwater aquatic species (other than a planktonic crustacean) that meets a minimum requirement of R 323.1057(2) of the Water Quality Standards. The results shall be based on the whole water treatment additive, shall not be results based on a similar product, and shall not be estimated. Examples of tests that would meet this requirement include a 96-hour LC50 for rainbow trout, bluegill, or fathead minnow.

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17. Quantification Levels and Analytical Methods for Selected Parameters

Quantification levels (QLs) are specified for selected parameters in the table below. These QLs shall be considered the maximum acceptable unless a higher QL is appropriate because of sample matrix interference. Justification for higher QLs shall be submitted to the Department within 30 days of such determination. Where necessary to help ensure that the QLs specified can be achieved, analytical methods may also be specified in the table below. The sampling procedures, preservation and handling, and analytical protocol for all monitoring conducted in compliance with this permit, including monitoring conducted to meet the requirements of the application for permit reissuance, shall be in accordance with the methods specified in the table below, or in accordance with Part II.B.2. of this permit if no method is specified in the table below, unless an alternate method is approved by the Department. **Not all QLs are expressed in the same units in the table below**. The table is continued on the following page:

Parameter	QL	Units	Analytical Method
1,2-Diphenylhydrazine (as Azobenzene)	3.0	ug/l	
2,4,6-Trichlorophenol	5.0	ug/l	
2,4-Dinitrophenol	19	ug/l	
3,3'-Dichlorobenzidine	1.5	ug/l	EPA Method 605
4-Chloro-3-Methylphenol	7.0	ug/l	
4,4'-DDD	0.05	ug/l	EPA Method 608
4,4'-DDE	0.01	ug/l	EPA Method 608
4,4'-DDT	0.01	ug/l	EPA Method 608
Acrylonitrile	1.0	ug/l	
Aldrin	0.01	ug/l	EPA Method 608
Alpha-Endosulfan	0.01	ug/l	EPA Method 608
Alpha-Hexachlorocyclohexane	0.01	ug/l	EPA Method 608
Antimony, Total	1	ug/l	
Arsenic, Total	1	ug/l	
Barium, Total	5	ug/l	
Benzidine	0.1	ug/l	EPA Method 605
Beryllium, Total	1	ug/l	
Beta-Endosulfan	0.01	ug/l	EPA Method 608
Beta-Hexachlorocyclohexane	0.01	ug/l	EPA Method 608
Bis (2-Chloroethyl) Ether	1.0	ug/l	
Bis (2-Ethylhexyl) Phthalate	5.0	ug/l	
Boron, Total	20	ug/l	
Cadmium, Total	0.2	ug/l	
Chlordane	0.01	ug/l	EPA Method 608
Chloride	1.0	mg/l	
Chromium, Hexavalent	5	ug/l	
Chromium, Total	10	ug/l	
Copper, Total	1	ug/l	
Cyanide, Available	2	ug/l	EPA Method OIA 1677
Cyanide, Total	5	ug/l	
Delta-Hexachlorocyclohexane	0.01	ug/l	EPA Method 608
Dieldrin	0.01	ug/l	EPA Method 608
Di-N-Butyl Phthalate	9.0	ug/l	
Endosulfan Sulfate	0.01	ug/l	EPA Method 608

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Parameter	QL	Units	Analytical Method
Endrin	0.01	ug/l	EPA Method 608
Endrin Aldehyde	0.01	ug/l	EPA Method 608
Fluoranthene	1.0	ug/l	
Heptachlor	0.01	ug/l	EPA Method 608
Heptachlor Epoxide	0.01	ug/l	EPA Method 608
Hexachlorobenzene	0.01	ug/l	EPA Method 612
Hexachlorobutadiene	0.01	ug/l	EPA Method 612
Hexachlorocyclopentadiene	0.01	ug/l	EPA Method 612
Hexachloroethane	5.0	ug/l	
Lead, Total	1	ug/l	
Lindane	0.01	ug/l	EPA Method 608
Lithium, Total	10	ug/l	
Mercury, Total	0.5	ng/l	EPA Method 1631E
Nickel, Total	5	ug/l	
PCB-1016	0.1	ug/l	EPA Method 608
PCB-1221	0.1	ug/l	EPA Method 608
PCB-1232	0.1	ug/l	EPA Method 608
PCB-1242	0.1	ug/l	EPA Method 608
PCB-1248	0.1	ug/l	EPA Method 608
PCB-1254	0.1	ug/l	EPA Method 608
PCB-1260	0.1	ug/l	EPA Method 608
Pentachlorophenol	1.8	ug/l	
Perfluorooctane sulfonate (PFOS)	2.0	ng/l	ASTM D7979 or an isotope dilution method (sometimes referred to as Method 537 modified)
Perfluorooctanoic acid (PFOA)	0.002	ug/l	ASTM D7979 or an isotope dilution method (sometimes referred to as Method 537 modified)
Phenanthrene	1.0	ug/l	
Phosphorus (as P), Total	10	ug/l	
Selenium, Total	1.0	ug/l	
Silver, Total	0.5	ug/l	
Strontium, Total	1000	ug/l	
Sulfate	2.0	mg/l	
Sulfides, Dissolved	20	ug/l	
Thallium, Total	1	ug/l	
Toxaphene	0.1	ug/l	EPA Method 608
Vinyl Chloride	1.0	ug/l	
Zinc, Total	10	ug/l	

18. Facility Contact

The “Facility Contact” was specified in the application. The permittee may replace the facility contact at any time, and shall notify the Department in writing within 10 days after replacement (including the name, address and telephone number of the new facility contact).

a. The facility contact shall be (or a duly authorized representative of this person):

- for a corporation, a principal executive officer of at least the level of vice president; or a designated representative if the representative is responsible for the overall operation of the facility from which the discharge originates, as described in the permit application or other NPDES form,

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- for a partnership, a general partner,
- for a sole proprietorship, the proprietor, or
- for a municipal, state, or other public facility, either a principal executive officer, the mayor, village president, city or village manager or other duly authorized employee.

b. A person is a duly authorized representative only if:
- the authorization is made in writing to the Department by a person described in paragraph a. of this section; and
- the authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the facility (a duly authorized representative may thus be either a named individual or any individual occupying a named position).

Nothing in this section releases the permittee from properly submitting reports and forms as required by law.

19. Expiration and Reissuance

On or before October 1, 2024, a permittee seeking continued authorization to discharge under this permit beyond the permit's expiration date shall submit to the Department an application for reissuance via the Department's MiWaters system. The MiWaters website is located at https://miwaters.deq.state.mi.us. Without a timely application for reissuance, the permittee's authorization to discharge will expire on April 1, 2025. With a timely application for reissuance, the permittee shall continue to be subject to the terms and conditions of the expired permit until the Department takes action on the application, unless this permit is terminated or revoked.

If this permit is terminated or revoked, the Department will notify the permittee in writing and all authorizations to discharge under the permit shall expire on the date of termination or revocation. If this permit is modified, the Department will notify the permittee in writing of any required action. Upon the effective date of the modified permit, the permittee shall be subject to the terms and conditions of the modified permit, unless the Department notifies the permittee otherwise.

If the discharge authorized under this permit is terminated, the permittee shall submit to the Department an NPDES Permit Notice of Termination request via MiWaters at https://miwaters.deq.state.mi.us.

20. Requirement to Obtain Individual Permit

The Department may require any person who is authorized to discharge, by a COC and this permit, to apply for and obtain an individual NPDES permit if any of the following circumstances apply:

a. the discharger is a significant contributor to pollution as determined by the Department on a case-by-case basis;

b. the discharger is not complying or has not complied with the conditions of this permit;

c. a change has occurred in the availability of demonstrated technology or practices for the control or abatement of waste applicable to the point source discharge;

d. effluent standards and limitations are promulgated for point source discharges subject to this permit; and/or

e. the Department determines that the criteria under which the permit was issued no longer apply.

Any person may request the Department to take action pursuant to the provisions of Rule 2191 of the Part 21 Rules, Wastewater Discharge Permits, promulgated under Part 31 of the NREPA.

PART II

Section A. Definitions

Part II may include terms and /or conditions not applicable to discharges covered under this permit.

Acute toxic unit (TU_A) means $100/LC_{50}$ where the LC_{50} is determined from a whole effluent toxicity (WET) test which produces a result that is statistically or graphically estimated to be lethal to 50% of the test organisms.

Annual monitoring frequency refers to a calendar year beginning on January 1 and ending on December 31. When required by this permit, an analytical result, reading, value or observation shall be reported for that period if a discharge occurs during that period.

Authorized public agency means a state, local, or county agency that is designated pursuant to the provisions of Section 9110 of Part 91, Soil and Sedimentation Control, of the NREPA, to implement soil erosion and sedimentation control requirements with regard to construction activities undertaken by that agency.

Best management practices (BMPs) means structural devices or nonstructural practices that are designed to prevent pollutants from entering into storm water, to direct the flow of storm water, or to treat polluted storm water.

Bioaccumulative chemical of concern (BCC) means a chemical which, upon entering the surface waters, by itself or as its toxic transformation product, accumulates in aquatic organisms by a human health bioaccumulation factor of more than 1000 after considering metabolism and other physiochemical properties that might enhance or inhibit bioaccumulation. The human health bioaccumulation factor shall be derived according to R 323.1057(5). Chemicals with half-lives of less than 8 weeks in the water column, sediment, and biota are not BCCs. The minimum bioaccumulation concentration factor (BAF) information needed to define an organic chemical as a BCC is either a field-measured BAF or a BAF derived using the biota-sediment accumulation factor (BSAF) methodology. The minimum BAF information needed to define an inorganic chemical as a BCC, including an organometal, is either a field-measured BAF or a laboratory-measured bioconcentration factor (BCF). The BCCs to which these rules apply are identified in Table 5 of R 323.1057 of the Water Quality Standards.

Biosolids are the solid, semisolid, or liquid residues generated during the treatment of sanitary sewage or domestic sewage in a treatment works. This includes, but is not limited to, scum or solids removed in primary, secondary, or advanced wastewater treatment processes and a derivative of the removed scum or solids.

Bulk biosolids means biosolids that are not sold or given away in a bag or other container for application to a lawn or home garden.

Certificate of Coverage (COC) is a document, issued by the Department, which authorizes a discharge under a general permit.

Chronic toxic unit (TU_C) means $100/MATC$ or $100/IC_{25}$, where the maximum acceptable toxicant concentration (MATC) and IC_{25} are expressed as a percent effluent in the test medium.

Class B biosolids refers to material that has met the Class B pathogen reduction requirements or equivalent treatment by a Process to Significantly Reduce Pathogens (PSRP) in accordance with the Part 24 Rules, Land Application of Biosolids, promulgated under Part 31 of the NREPA. Processes include aerobic digestion, composting, anaerobic digestion, lime stabilization and air drying.

Combined sewer system is a sewer system in which storm water runoff is combined with sanitary wastes.

PART II

Section A. Definitions

Daily concentration
FOR PARAMETERS OTHER THAN pH, DISSOLVED OXYGEN, TEMPERATURE, AND CONDUCTIVITY – Daily concentration is the sum of the concentrations of the individual samples of a parameter taken within a calendar day divided by the number of samples taken within that calendar day. The daily concentration will be used to determine compliance with any maximum and minimum daily concentration limitations. For guidance and examples showing how to perform calculations using results below quantification levels, see the document entitled "Reporting Results Below Quantification," available at https://www.michigan.gov/documents/deq/wrd-npdes-results-quantification_620791_7.pdf.

FOR pH, DISSOLVED OXYGEN, TEMPERATURE, AND CONDUCTIVITY – The daily concentration used to determine compliance with maximum daily pH, temperature, and conductivity limitations is the highest pH, temperature, and conductivity readings obtained within a calendar day. The daily concentration used to determine compliance with minimum daily pH and dissolved oxygen limitations is the lowest pH and dissolved oxygen readings obtained within a calendar day.

Daily loading is the total discharge by weight of a parameter discharged during any calendar day. This value is calculated by multiplying the daily concentration by the total daily flow and by the appropriate conversion factor. The daily loading will be used to determine compliance with any maximum daily loading limitations. When required by the permit, report the maximum calculated daily loading for the month in the "MAXIMUM" column under "QUANTITY OR LOADING" on the DMRs.

Daily monitoring frequency refers to a 24-hour day. When required by this permit, an analytical result, reading, value or observation shall be reported for that period if a discharge occurs during that period.

Department means the Michigan Department of Environment, Great Lakes, and Energy.

Detection level means the lowest concentration or amount of the target analyte that can be determined to be different from zero by a single measurement at a stated level of probability.

Discharge means the addition of any waste, waste effluent, wastewater, pollutant, or any combination thereof to any surface water of the state.

EC_{50} means a statistically or graphically estimated concentration that is expected to cause 1 or more specified effects in 50% of a group of organisms under specified conditions.

Fecal coliform bacteria monthly
FOR WWSLs THAT COLLECT AND STORE WASTEWATER AND ARE AUTHORIZED TO DISCHARGE ONLY IN THE SPRING AND/OR FALL ON AN INTERMITTENT BASIS – Fecal coliform bacteria monthly is the geometric mean of all daily concentrations determined during a discharge event. Days on which no daily concentration is determined shall not be used to determine the calculated monthly value. The calculated monthly value will be used to determine compliance with the maximum monthly fecal coliform bacteria limitations. When required by the permit, report the calculated monthly value in the "AVERAGE" column under "QUALITY OR CONCENTRATION" on the DMR. If the period in which the discharge event occurred was partially in each of two months, the calculated monthly value shall be reported on the DMR of the month in which the last day of discharge occurred.

FOR ALL OTHER DISCHARGES – Fecal coliform bacteria monthly is the geometric mean of all daily concentrations determined during a reporting month. Days on which no daily concentration is determined shall not be used to determine the calculated monthly value. The calculated monthly value will be used to determine compliance with the maximum monthly fecal coliform bacteria limitations. When required by the permit, report the calculated monthly value in the "AVERAGE" column under "QUALITY OR CONCENTRATION" on the DMR.

PART II

Section A. Definitions

Fecal coliform bacteria 7-day
FOR WWSLs THAT COLLECT AND STORE WASTEWATER AND ARE AUTHORIZED TO DISCHARGE ONLY IN THE SPRING AND/OR FALL ON AN INTERMITTENT BASIS – Fecal coliform bacteria 7-day is the geometric mean of the daily concentrations determined during any 7 consecutive days of discharge during a discharge event. If the number of daily concentrations determined during the discharge event is less than 7 days, the number of actual daily concentrations determined shall be used for the calculation. Days on which no daily concentration is determined shall not be used to determine the value. The calculated 7-day value will be used to determine compliance with the maximum 7-day fecal coliform bacteria limitations. When required by the permit, report the maximum calculated 7-day geometric mean value for the month in the "MAXIMUM" column under "QUALITY OR CONCENTRATION" on the DMRs. If the 7-day period was partially in each of two months, the value shall be reported on the DMR of the month in which the last day of discharge occurred.

FOR ALL OTHER DISCHARGES – Fecal coliform bacteria 7-day is the geometric mean of the daily concentrations determined during any 7 consecutive days in a reporting month. If the number of daily concentrations determined is less than 7, the actual number of daily concentrations determined shall be used for the calculation. Days on which no daily concentration is determined shall not be used to determine the value. The calculated 7-day value will be used to determine compliance with the maximum 7-day fecal coliform bacteria limitations. When required by the permit, report the maximum calculated 7-day geometric mean for the month in the "MAXIMUM" column under "QUALITY OR CONCENTRATION" on the DMRs. The first calculation shall be made on day 7 of the reporting month, and the last calculation shall be made on the last day of the reporting month.

Flow-proportioned sample is a composite sample with the sample volume proportional to the effluent flow.

General permit means an NPDES permit issued authorizing a category of similar discharges.

Geometric mean is the average of the logarithmic values of a base 10 data set, converted back to a base 10 number.

Grab sample is a single sample taken at neither a set time nor flow.

IC_{25} means the toxicant concentration that would cause a 25% reduction in a nonquantal biological measurement for the test population.

Illicit connection means a physical connection to a municipal separate storm sewer system that primarily conveys non-storm water discharges other than uncontaminated groundwater into the storm sewer; or a physical connection not authorized or permitted by the local authority, where a local authority requires authorization or a permit for physical connections.

Illicit discharge means any discharge to, or seepage into, a municipal separate storm sewer system that is not composed entirely of storm water or uncontaminated groundwater. Illicit discharges include non-storm water discharges through pipes or other physical connections; dumping of motor vehicle fluids, household hazardous wastes, domestic animal wastes, or litter; collection and intentional dumping of grass clippings or leaf litter; or unauthorized discharges of sewage, industrial waste, restaurant wastes, or any other non-storm water waste directly into a separate storm sewer.

Individual permit means a site-specific NPDES permit.

Inlet means a catch basin, roof drain, conduit, drain tile, retention pond riser pipe, sump pump, or other point where storm water or wastewater enters into a closed conveyance system prior to discharge off site or into waters of the state.

PART II

Section A. Definitions

Interference is a discharge which, alone or in conjunction with a discharge or discharges from other sources, both: 1) inhibits or disrupts a POTW, its treatment processes or operations, or its sludge processes, use or disposal; and 2) therefore, is a cause of a violation of any requirement of the POTW's NPDES permit (including an increase in the magnitude or duration of a violation) or, of the prevention of sewage sludge use or disposal in compliance with the following statutory provisions and regulations or permits issued thereunder (or more stringent state or local regulations): Section 405 of the Clean Water Act, the Solid Waste Disposal Act (SWDA) (including Title II, more commonly referred to as the Resource Conservation and Recovery Act (RCRA), and including state regulations contained in any state sludge management plan prepared pursuant to Subtitle D of the SWDA), the Clean Air Act, the Toxic Substances Control Act, and the Marine Protection, Research and Sanctuaries Act. [This definition does not apply to sample matrix interference].

Land application means spraying or spreading biosolids or a biosolids derivative onto the land surface, injecting below the land surface, or incorporating into the soil so that the biosolids or biosolids derivative can either condition the soil or fertilize crops or vegetation grown in the soil.

LC_{50} means a statistically or graphically estimated concentration that is expected to be lethal to 50% of a group of organisms under specified conditions.

Maximum acceptable toxicant concentration (MATC) means the concentration obtained by calculating the geometric mean of the lower and upper chronic limits from a chronic test. A lower chronic limit is the highest tested concentration that did not cause the occurrence of a specific adverse effect. An upper chronic limit is the lowest tested concentration which did cause the occurrence of a specific adverse effect and above which all tested concentrations caused such an occurrence.

Maximum extent practicable means implementation of best management practices by a public body to comply with an approved storm water management program as required by a national permit for a municipal separate storm sewer system, in a manner that is environmentally beneficial, technically feasible, and within the public body's legal authority.

MBTU/hr means million British Thermal Units per hour.

MGD means million gallons per day.

Monthly concentration is the sum of the daily concentrations determined during a reporting period divided by the number of daily concentrations determined. The calculated monthly concentration will be used to determine compliance with any maximum monthly concentration limitations. Days with no discharge shall not be used to determine the value. When required by the permit, report the calculated monthly concentration in the "AVERAGE" column under "QUALITY OR CONCENTRATION" on the DMR.

For minimum percent removal requirements, the monthly influent concentration and the monthly effluent concentration shall be determined. The calculated monthly percent removal, which is equal to 100 times the quantity [1 minus the quantity (monthly effluent concentration divided by the monthly influent concentration)], shall be reported in the "MINIMUM" column under "QUALITY OR CONCENTRATION" on the DMRs.

Monthly loading is the sum of the daily loadings of a parameter divided by the number of daily loadings determined during a reporting period. The calculated monthly loading will be used to determine compliance with any maximum monthly loading limitations. Days with no discharge shall not be used to determine the value. When required by the permit, report the calculated monthly loading in the "AVERAGE" column under "QUANTITY OR LOADING" on the DMR.

Monthly monitoring frequency refers to a calendar month. When required by this permit, an analytical result, reading, value or observation shall be reported for that period if a discharge occurs during that period.

PART II

Section A. Definitions

Municipal separate storm sewer means a conveyance or system of conveyances designed or used for collecting or conveying storm water which is not a combined sewer and which is not part of a POTW as defined in the Code of Federal Regulations at 40 CFR 122.2.
Municipal separate storm sewer system (MS4) means all separate storm sewers that are owned or operated by the United States, a state, city, village, township, county, district, association, or other public body created by or pursuant to state law, having jurisdiction over disposal of sewage, industrial wastes, storm water, or other wastes, including special districts under state law, such as a sewer district, flood control district, or drainage district, or similar entity, or a designated or approved management agency under Section 208 of the Clean Water Act that discharges to the waters of the state. This term includes systems similar to separate storm sewer systems in municipalities, such as systems at military bases, large hospital or prison complexes, and highways and other thoroughfares. The term does not include separate storm sewers in very discrete areas, such as individual buildings.

National Pretreatment Standards are the regulations promulgated by or to be promulgated by the Federal Environmental Protection Agency pursuant to Section 307(b) and (c) of the Clean Water Act. The standards establish nationwide limits for specific industrial categories for discharge to a POTW.

No observed adverse effect level (NOAEL) means the highest tested dose or concentration of a substance which results in no observed adverse effect in exposed test organisms where higher doses or concentrations result in an adverse effect.

Noncontact cooling water is water used for cooling which does not come into direct contact with any raw material, intermediate product, by-product, waste product or finished product.

Nondomestic user is any discharger to a POTW that discharges wastes other than or in addition to water-carried wastes from toilet, kitchen, laundry, bathing or other facilities used for household purposes.

Nonstructural controls are practices or procedures implemented by employees at a facility to manage storm water or to prevent contamination of storm water.

NPDES means National Pollutant Discharge Elimination System.

Outfall is the location at which a point source discharge first enters a surface water of the state.

Part 91 agency means an agency that is designated by a county board of commissioners pursuant to the provisions of Section 9105 of Part 91 of the NREPA; an agency that is designated by a city, village, or township in accordance with the provisions of Section 9106 of Part 91 of the NREPA; or the Department for soil erosion and sedimentation control activities under Part 615, Supervisor of Wells; Part 631, Reclamation of Mining Lands; or Part 632, Nonferrous Metallic Mineral Mining, of the NREPA, pursuant to the provisions of Section 9115 of Part 91 of the NREPA.

Part 91 permit means a soil erosion and sedimentation control permit issued by a Part 91 agency pursuant to the provisions of Part 91 of the NREPA.

Partially treated sewage is any sewage, sewage and storm water, or sewage and wastewater, from domestic or industrial sources that is treated to a level less than that required by the permittee's NPDES permit, or that is not treated to national secondary treatment standards for wastewater, including discharges to surface waters from retention treatment facilities.

Point of discharge is the location of a point source discharge where storm water is discharged directly into a separate storm sewer system.

PART II

Section A. Definitions

Point source discharge means a discharge from any discernible, confined, discrete conveyance, including but not limited to any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, or rolling stock. Changing the surface of land or establishing grading patterns on land will result in a point source discharge where the runoff from the site is ultimately discharged to waters of the state.

Polluting material means any material, in solid or liquid form, identified as a polluting material under the Part 5 Rules, Spillage of Oil and Polluting Materials, promulgated under Part 31 of the NREPA (R 324.2001 through R 324.2009 of the Michigan Administrative Code).

POTW is a publicly owned treatment work.

Pretreatment is reducing the amount of pollutants, eliminating pollutants, or altering the nature of pollutant properties to a less harmful state prior to discharge into a public sewer. The reduction or alteration can be by physical, chemical, or biological processes, process changes, or by other means. Dilution is not considered pretreatment unless expressly authorized by an applicable National Pretreatment Standard for a particular industrial category.

Public (as used in the MS4 individual permit) means all persons who potentially could affect the authorized storm water discharges, including, but not limited to, residents, visitors to the area, public employees, businesses, industries, and construction contractors and developers.

Public body means the United States; the state of Michigan; a city, village, township, county, school district, public college or university, or single-purpose governmental agency; or any other body which is created by federal or state statute or law.

Qualified Personnel means an individual who meets qualifications acceptable to the Department and who is authorized by an Industrial Storm Water Certified Operator to collect the storm water sample.

Qualifying storm event means a storm event causing greater than 0.1 inch of rainfall and occurring at least 72 hours after the previous measurable storm event that also caused greater than 0.1 inch of rainfall. Upon request, the Department may approve an alternate definition meeting the condition of a qualifying storm event.

Quantification level means the measurement of the concentration of a contaminant obtained by using a specified laboratory procedure calculated at a specified concentration above the detection level. It is considered the lowest concentration at which a particular contaminant can be quantitatively measured using a specified laboratory procedure for monitoring of the contaminant.

Quarterly monitoring frequency refers to a three month period, defined as January through March, April through June, July through September, and October through December. When required by this permit, an analytical result, reading, value or observation shall be reported for that period if a discharge occurs during that period.

Regional Administrator is the Region 5 Administrator, U.S. EPA, located at R-19J, 77 W. Jackson Blvd., Chicago, Illinois 60604.

Regulated area means the permittee's urbanized area, where urbanized area is defined as a place and its adjacent densely-populated territory that together have a minimum population of 50,000 people as defined by the United States Bureau of the Census and as determined by the latest available decennial census.

Secondary containment structure means a unit, other than the primary container, in which significant materials are packaged or held, which is required by state or federal law to prevent the escape of significant materials by gravity into sewers, drains, or otherwise directly or indirectly into any sewer system or to the surface waters or groundwaters of the state.

PART II

Section A. Definitions

Separate storm sewer system means a system of drainage, including, but not limited to, roads, catch basins, curbs, gutters, parking lots, ditches, conduits, pumping devices, or man-made channels, which is not a combined sewer where storm water mixes with sanitary wastes, and is not part of a POTW.

Significant industrial user is a nondomestic user that: 1) is subject to Categorical Pretreatment Standards under 40 CFR 403.6 and 40 CFR Chapter I, Subchapter N; or 2) discharges an average of 25,000 gallons per day or more of process wastewater to a POTW (excluding sanitary, noncontact cooling and boiler blowdown wastewater); contributes a process waste stream which makes up five (5) percent or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or is designated as such by the permittee as defined in 40 CFR 403.12(a) on the basis that the industrial user has a reasonable potential for adversely affecting the POTW's treatment plant operation or violating any pretreatment standard or requirement (in accordance with 40 CFR 403.8(f)(6)).

Significant materials means any material which could degrade or impair water quality, including but not limited to: raw materials; fuels; solvents, detergents, and plastic pellets; finished materials such as metallic products; hazardous substances designated under Section 101(14) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) (see 40 CFR 372.65); any chemical the facility is required to report pursuant to Section 313 of Emergency Planning and Community Right-to-Know Act (EPCRA); polluting materials as identified under the Part 5 Rules (R 324.2001 through R 324.2009 of the Michigan Administrative Code); Hazardous Wastes as defined in Part 111, Hazardous Waste Management, of the NREPA; fertilizers; pesticides; and waste products such as ashes, slag, and sludge that have the potential to be released with storm water discharges.

Significant spills and significant leaks means any release of a polluting material reportable under the Part 5 Rules (R 324.2001 through R 324.2009 of the Michigan Administrative Code).

Special-use area means storm water discharges for which the Department has determined that additional monitoring is needed from: secondary containment structures required by state or federal law; lands on Michigan's List of Sites of Environmental Contamination pursuant to Part 201, Environmental Remediation, of the NREPA; and/or areas with other activities that may contribute pollutants to the storm water.

Stoichiometric means the quantity of a reagent calculated to be necessary and sufficient for a given chemical reaction.

Storm water means storm water runoff, snow melt runoff, surface runoff and drainage, and non-storm water included under the conditions of this permit.

Storm water discharge point is the location where the point source discharge of storm water is directed to surface waters of the state or to a separate storm sewer. It includes the location of all point source discharges where storm water exits the facility, including *outfalls* which discharge directly to surface waters of the state, and *points of discharge* which discharge directly into separate storm sewer systems.

Structural controls are physical features or structures used at a facility to manage or treat storm water.

SWPPP means the Storm Water Pollution Prevention Plan prepared in accordance with this permit.

Tier I value means a value for aquatic life, human health or wildlife calculated under R 323.1057 of the Water Quality Standards using a tier I toxicity database.

Tier II value means a value for aquatic life, human health or wildlife calculated under R 323.1057 of the Water Quality Standards using a tier II toxicity database.

PART II

Section A. Definitions

Total maximum daily loads (TMDLs) are required by the Clean Water Act for waterbodies that do not meet water quality standards. TMDLs represent the maximum daily load of a pollutant that a waterbody can assimilate and meet water quality standards, and an allocation of that load among point sources, nonpoint sources, and a margin of safety.

Toxicity reduction evaluation (TRE) means a site-specific study conducted in a stepwise process designed to identify the causative agents of effluent toxicity, isolate the sources of toxicity, evaluate the effectiveness of toxicity control options, and then confirm the reduction in effluent toxicity.

Water Quality Standards means the Part 4 Water Quality Standards promulgated pursuant to Part 31 of the NREPA, being R 323.1041 through R 323.1117 of the Michigan Administrative Code.

Weekly monitoring frequency refers to a calendar week which begins on Sunday and ends on Saturday. When required by this permit, an analytical result, reading, value or observation shall be reported for that period if a discharge occurs during that period.

WWSL is a wastewater stabilization lagoon.

WWSL discharge event is a discrete occurrence during which effluent is discharged to the surface water up to 10 days of a consecutive 14 day period.

3-portion composite sample is a sample consisting of three equal-volume grab samples collected at equal intervals over an 8-hour period.

7-day concentration
FOR WWSLs THAT COLLECT AND STORE WASTEWATER AND ARE AUTHORIZED TO DISCHARGE ONLY IN THE SPRING AND/OR FALL ON AN INTERMITTENT BASIS – The 7-day concentration is the sum of the daily concentrations determined during any 7 consecutive days of discharge during a WWSL discharge event divided by the number of daily concentrations determined. If the number of daily concentrations determined during the WWSL discharge event is less than 7 days, the number of actual daily concentrations determined shall be used for the calculation. The calculated 7-day concentration will be used to determine compliance with any maximum 7-day concentration limitations. When required by the permit, report the maximum calculated 7-day concentration for the WWSL discharge event in the “MAXIMUM” column under “QUALITY OR CONCENTRATION” on the DMR. If the WWSL discharge event was partially in each of two months, the value shall be reported on the DMR of the month in which the last day of discharge occurred.

FOR ALL OTHER DISCHARGES – The 7-day concentration is the sum of the daily concentrations determined during any 7 consecutive days in a reporting month divided by the number of daily concentrations determined. If the number of daily concentrations determined is less than 7, the actual number of daily concentrations determined shall be used for the calculation. The calculated 7-day concentration will be used to determine compliance with any maximum 7-day concentration limitations in the reporting month. When required by the permit, report the maximum calculated 7-day concentration for the month in the “MAXIMUM” column under “QUALITY OR CONCENTRATION” on the DMR. The first 7-day calculation shall be made on day 7 of the reporting month, and the last calculation shall be made on the last day of the reporting month.

PART II

Section A. Definitions

7-day loading
FOR WWSLs THAT COLLECT AND STORE WASTEWATER AND ARE AUTHORIZED TO DISCHARGE ONLY IN THE SPRING AND/OR FALL ON AN INTERMITTENT BASIS – The 7-day loading is the sum of the daily loadings determined during any 7 consecutive days of discharge during a WWSL discharge event divided by the number of daily loadings determined. If the number of daily loadings determined during the WWSL discharge event is less than 7 days, the number of actual daily loadings determined shall be used for the calculation. The calculated 7-day loading will be used to determine compliance with any maximum 7-day loading limitations. When required by the permit, report the maximum calculated 7-day loading for the WWSL discharge event in the "MAXIMUM" column under "QUANTITY OR LOADING" on the DMR. If the WWSL discharge event was partially in each of two months, the value shall be reported on the DMR of the month in which the last day of discharge occurred.

FOR ALL OTHER DISCHARGES – The 7-day loading is the sum of the daily loadings determined during any 7 consecutive days in a reporting month divided by the number of daily loadings determined. If the number of daily loadings determined is less than 7, the actual number of daily loadings determined shall be used for the calculation. The calculated 7-day loading will be used to determine compliance with any maximum 7-day loading limitations in the reporting month. When required by the permit, report the maximum calculated 7-day loading for the month in the "MAXIMUM" column under "QUANTITY OR LOADING" on the DMR. The first 7-day calculation shall be made on day 7 of the reporting month, and the last calculation shall be made on the last day of the reporting month.

24-hour composite sample is a flow-proportioned composite sample consisting of hourly or more frequent portions that are taken over a 24-hour period. A time-proportioned composite sample may be used upon approval of the Department if the permittee demonstrates it is representative of the discharge.

PART II

Section B. Monitoring Procedures

1. Representative Samples

Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored discharge.

2. Test Procedures

Test procedures for the analysis of pollutants shall conform to regulations promulgated pursuant to Section 304(h) of the Clean Water Act (40 CFR Part 136 – Guidelines Establishing Test Procedures for the Analysis of Pollutants), unless specified otherwise in this permit. **Test procedures used shall be sufficiently sensitive to determine compliance with applicable effluent limitations**. Requests to use test procedures not promulgated under 40 CFR Part 136 for pollutant monitoring required by this permit shall be made in accordance with the Alternate Test Procedures regulations specified in 40 CFR 136.4. These requests shall be submitted to the Manager of the Permits Section, Water Resources Division, Michigan Department of Environment, Great Lakes, and Energy, P.O. Box 30458, Lansing, Michigan, 48909-7958. The permittee may use such procedures upon approval.

The permittee shall periodically calibrate and perform maintenance procedures on all analytical instrumentation at intervals to ensure accuracy of measurements. The calibration and maintenance shall be performed as part of the permittee's laboratory Quality Assurance/Quality Control program.

3. Instrumentation

The permittee shall periodically calibrate and perform maintenance procedures on all monitoring instrumentation at intervals to ensure accuracy of measurements.

4. Recording Results

For each measurement or sample taken pursuant to the requirements of this permit, the permittee shall record the following information: 1) the exact place, date, and time of measurement or sampling; 2) the person(s) who performed the measurement or sample collection; 3) the dates the analyses were performed; 4) the person(s) who performed the analyses; 5) the analytical techniques or methods used; 6) the date of and person responsible for equipment calibration; and 7) the results of all required analyses.

5. Records Retention

All records and information resulting from the monitoring activities required by this permit including all records of analyses performed and calibration and maintenance of instrumentation and recordings from continuous monitoring instrumentation shall be retained for a minimum of three (3) years, or longer if requested by the Regional Administrator or the Department.

PART II

Section C. Reporting Requirements

1. Start-Up Notification

If the permittee will not discharge during the first 60 days following the effective date of this permit, the permittee shall notify the Department within 14 days following the effective date of this permit, and then 60 days prior to the commencement of the discharge.

2. Submittal Requirements for Self-Monitoring Data

Part 31 of the NREPA (specifically Section 324.3110(7)); and R 323.2155(2) of Part 21, Wastewater Discharge Permits, promulgated under Part 31 of the NREPA, allow the Department to specify the forms to be utilized for reporting the required self-monitoring data. Unless instructed on the effluent limitations page to conduct "Retained Self-Monitoring," the permittee shall submit self-monitoring data via the Department's MiWaters system.

The permittee shall utilize the information provided on the MiWaters website, located at https://miwaters.deq.state.mi.us, to access and submit the electronic forms. Both monthly summary and daily data shall be submitted to the Department no later than the 20th day of the month following each month of the authorized discharge period(s). The permittee may be allowed to submit the electronic forms after this date if the Department has granted an extension to the submittal date.

3. Retained Self-Monitoring Requirements

If instructed on the effluent limits page (or otherwise authorized by the Department in accordance with the provisions of this permit) to conduct retained self-monitoring, the permittee shall maintain a year-to-date log of retained self-monitoring results and, upon request, provide such log for inspection to the staff of the Department. Retained self-monitoring results are public information and shall be promptly provided to the public upon request.

The permittee shall certify, in writing, to the Department, on or before January 10th (April 1st for animal feeding operation facilities) of each year, that: 1) all retained self-monitoring requirements have been complied with and a year-to-date log has been maintained; and 2) the application on which this permit is based still accurately describes the discharge. With this annual certification, the permittee shall submit a summary of the previous year's monitoring data. The summary shall include maximum values for samples to be reported as daily maximums and/or monthly maximums and minimum values for any daily minimum samples.

Retained self-monitoring may be denied to a permittee by notification in writing from the Department. In such cases, the permittee shall submit self-monitoring data in accordance with Part II.C.2., above. Such a denial may be rescinded by the Department upon written notification to the permittee. Reissuance or modification of this permit or reissuance or modification of an individual permittee's authorization to discharge shall not affect previous approval or denial for retained self-monitoring unless the Department provides notification in writing to the permittee.

4. Additional Monitoring by Permittee

If the permittee monitors any pollutant at the location(s) designated herein more frequently than required by this permit, using approved analytical methods as specified above, the results of such monitoring shall be included in the calculation and reporting of the values required in the Discharge Monitoring Report. Such increased frequency shall also be indicated.

PART II

Section C. Reporting Requirements

Monitoring required pursuant to Part 41 of the NREPA or Rule 35 of the Mobile Home Park Commission Act, 1987 PA 96, as amended, for assurance of proper facility operation, shall be submitted as required by the Department.

5. Compliance Dates Notification

Within 14 days of every compliance date specified in this permit, the permittee shall submit a *written* notification to the Department indicating whether or not the particular requirement was accomplished. If the requirement was not accomplished, the notification shall include an explanation of the failure to accomplish the requirement, actions taken or planned by the permittee to correct the situation, and an estimate of when the requirement will be accomplished. If a written report is required to be submitted by a specified date and the permittee accomplishes this, a separate written notification is not required.

6. Noncompliance Notification

Compliance with all applicable requirements set forth in the Clean Water Act, Parts 31 and 41 of the NREPA, and related regulations and rules is required. All instances of noncompliance shall be reported as follows:

a. 24-Hour Reporting
Any noncompliance which may endanger health or the environment (including maximum and/or minimum daily concentration discharge limitation exceedances) shall be reported, verbally, within 24 hours from the time the permittee becomes aware of the noncompliance. A written submission shall also be provided within five (5) days.

b. Other Reporting
The permittee shall report, in writing, all other instances of noncompliance not described in a. above at the time monitoring reports are submitted; or, in the case of retained self-monitoring, within five (5) days from the time the permittee becomes aware of the noncompliance.

Written reporting shall include: 1) a description of the discharge and cause of noncompliance; and 2) the period of noncompliance, including exact dates and times, or, if not yet corrected, the anticipated time the noncompliance is expected to continue, and the steps taken to reduce, eliminate and prevent recurrence of the noncomplying discharge.

7. Spill Notification

The permittee shall immediately report any release of any polluting material which occurs to the surface waters or groundwaters of the state, unless the permittee has determined that the release is not in excess of the threshold reporting quantities specified in the Part 5 Rules (R 324.2001 through R 324.2009 of the Michigan Administrative Code), by calling the Department at the number indicated on the second page of this permit (or, if this is a general permit, on the COC); or, if the notice is provided after regular working hours, call the Department's 24-hour Pollution Emergency Alerting System telephone number, 1-800-292-4706 (calls from **out-of-state** call 1-517-373-7660).

Within ten (10) days of the release, the permittee shall submit to the Department a full written explanation as to the cause of the release, the discovery of the release, response (clean-up and/or recovery) measures taken, and preventive measures taken or a schedule for completion of measures to be taken to prevent reoccurrence of similar releases.

PART II

Section C. Reporting Requirements

8. Upset Noncompliance Notification

If a process "upset" (defined as an exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit effluent limitations because of factors beyond the reasonable control of the permittee) has occurred, the permittee who wishes to establish the affirmative defense of upset shall notify the Department by telephone within 24 hours of becoming aware of such conditions; and within five (5) days, provide in writing, the following information:

a. that an upset occurred and that the permittee can identify the specific cause(s) of the upset;

b. that the permitted wastewater treatment facility was, at the time, being properly operated and maintained (note that an upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation); and

c. that the permittee has specified and taken action on all responsible steps to minimize or correct any adverse impact in the environment resulting from noncompliance with this permit.

No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review.

In any enforcement proceedings, the permittee, seeking to establish the occurrence of an upset, has the burden of proof.

9. Bypass Prohibition and Notification

a. Bypass Prohibition
Bypass is prohibited, and the Department may take an enforcement action, unless:

1) bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;

2) there were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate backup equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass; and

3) the permittee submitted notices as required under 9.b. or 9.c. below.

b. Notice of Anticipated Bypass
If the permittee knows in advance of the need for a bypass, it shall submit prior notice to the Department, if possible at least ten (10) days before the date of the bypass, and provide information about the anticipated bypass as required by the Department. The Department may approve an anticipated bypass, after considering its adverse effects, if it will meet the three (3) conditions listed in 9.a. above.

c. Notice of Unanticipated Bypass
The permittee shall submit notice to the Department of an unanticipated bypass by calling the Department at the number indicated on the second page of this permit (if the notice is provided after regular working hours, call: 1-800-292-4706) as soon as possible, but no later than 24 hours from the time the permittee becomes aware of the circumstances.

PART II

Section C. Reporting Requirements

d. Written Report of Bypass
A written submission shall be provided within five (5) working days of commencing any bypass to the Department, and at additional times as directed by the Department. The written submission shall contain a description of the bypass and its cause; the period of bypass, including exact dates and times, and if the bypass has not been corrected, the anticipated time it is expected to continue; steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass; and other information as required by the Department.

e. Bypass Not Exceeding Limitations
The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to ensure efficient operation. These bypasses are not subject to the provisions of 9.a., 9.b., 9.c., and 9.d., above. This provision does not relieve the permittee of any notification responsibilities under Part II.C.11. of this permit.

f. Definitions

1) Bypass means the intentional diversion of waste streams from any portion of a treatment facility.

2) Severe property damage means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

10. Bioaccumulative Chemicals of Concern (BCC)

Consistent with the requirements of R 323.1098 and R 323.1215 of the Michigan Administrative Code, the permittee is prohibited from undertaking any action that would result in a lowering of water quality from an increased loading of a BCC unless an increased use request and antidegradation demonstration have been submitted and approved by the Department.

11. Notification of Changes in Discharge

The permittee shall notify the Department, in writing, as soon as possible but no later than 10 days of knowing, or having reason to believe, that any activity or change has occurred or will occur which would result in the discharge of: 1) detectable levels of chemicals on the current Michigan Critical Materials Register, priority pollutants or hazardous substances set forth in 40 CFR 122.21, Appendix D, or the Pollutants of Initial Focus in the Great Lakes Water Quality Initiative specified in 40 CFR 132.6, Table 6, which were not acknowledged in the application or listed in the application at less than detectable levels; 2) detectable levels of any other chemical not listed in the application or listed at less than detection, for which the application specifically requested information; or 3) any chemical at levels greater than five times the average level reported in the complete application (see the first page of this permit, for the date(s) the complete application was submitted). Any other monitoring results obtained as a requirement of this permit shall be reported in accordance with the compliance schedules.

PART II

Section C. Reporting Requirements

12. Changes in Facility Operations

Any anticipated action or activity, including but not limited to facility expansion, production increases, or process modification, which will result in new or increased loadings of pollutants to the receiving waters must be reported to the Department by a) submission of an increased use request (application) and all information required under R 323.1098 (Antidegradation) of the Water Quality Standards or b) by notice if the following conditions are met: 1) the action or activity will not result in a change in the types of wastewater discharged or result in a greater quantity of wastewater than currently authorized by this permit; 2) the action or activity will not result in violations of the effluent limitations specified in this permit; 3) the action or activity is not prohibited by the requirements of Part II.C.10.; and 4) the action or activity will not require notification pursuant to Part II.C.11. Following such notice, the permit or, if applicable, the facility's COC may be modified according to applicable laws and rules to specify and limit any pollutant not previously limited.

13. Transfer of Ownership or Control

In the event of any change in control or ownership of facilities from which the authorized discharge emanates, the permittee shall submit to the Department 30 days prior to the actual transfer of ownership or control a written agreement between the current permittee and the new permittee containing: 1) the legal name and address of the new owner; 2) a specific date for the effective transfer of permit responsibility, coverage and liability; and 3) a certification of the continuity of or any changes in operations, wastewater discharge, or wastewater treatment.

If the new permittee is proposing changes in operations, wastewater discharge, or wastewater treatment, the Department may propose modification of this permit in accordance with applicable laws and rules.

14. Operations and Maintenance Manual

For wastewater treatment facilities that serve the public (and are thus subject to Part 41 of the NREPA), Section 4104 of Part 41 and associated Rule 2957 of the Michigan Administrative Code allow the Department to require an Operations and Maintenance (O&M) Manual from the facility. An up-to-date copy of the O&M Manual shall be kept at the facility and shall be provided to the Department upon request. The Department may review the O&M Manual in whole or in part at its discretion and require modifications to it if portions are determined to be inadequate.

At a minimum, the O&M Manual shall include the following information: permit standards; descriptions and operation information for all equipment; staffing information; laboratory requirements; record keeping requirements; a maintenance plan for equipment; an emergency operating plan; safety program information; and copies of all pertinent forms, as-built plans, and manufacturer's manuals.

Certification of the existence and accuracy of the O&M Manual shall be submitted to the Department at least sixty days prior to start-up of a new wastewater treatment facility. Recertification shall be submitted sixty days prior to start-up of any substantial improvements or modifications made to an existing wastewater treatment facility.

PART II

Section C. Reporting Requirements

15. Signatory Requirements

All applications, reports, or information submitted to the Department in accordance with the conditions of this permit and that require a signature shall be signed and certified as described in the Clean Water Act and the NREPA.

The Clean Water Act provides that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or noncompliance, shall, upon conviction, be punished by a fine of not more than $10,000 per violation, or by imprisonment for not more than 6 months per violation, or by both.

The NREPA (Section 3115(2)) provides that a person who at the time of the violation knew or should have known that he or she discharged a substance contrary to this part, or contrary to a permit, COC, or order issued or rule promulgated under this part, or who intentionally makes a false statement, representation, or certification in an application for or form pertaining to a permit or COC or in a notice or report required by the terms and conditions of an issued permit or COC, or who intentionally renders inaccurate a monitoring device or record required to be maintained by the Department, is guilty of a felony and shall be fined not less than $2,500.00 or more than $25,000.00 for each violation. The court may impose an additional fine of not more than $25,000.00 for each day during which the unlawful discharge occurred. If the conviction is for a violation committed after a first conviction of the person under this subsection, the court shall impose a fine of not less than $25,000.00 per day and not more than $50,000.00 per day of violation. Upon conviction, in addition to a fine, the court in its discretion may sentence the defendant to imprisonment for not more than 2 years or impose probation upon a person for a violation of this part. With the exception of the issuance of criminal complaints, issuance of warrants, and the holding of an arraignment, the circuit court for the county in which the violation occurred has exclusive jurisdiction. However, the person shall not be subject to the penalties of this subsection if the discharge of the effluent is in conformance with and obedient to a rule, order, permit, or COC of the Department. In addition to a fine, the attorney general may file a civil suit in a court of competent jurisdiction to recover the full value of the injuries done to the natural resources of the state and the costs of surveillance and enforcement by the state resulting from the violation.

16. Electronic Reporting

Upon notice by the Department that electronic reporting tools are available for specific reports or notifications, the permittee shall submit electronically all such reports or notifications as required by this permit, on forms provided by the Department.

PART II

Section D. Management Responsibilities

1. Duty to Comply

All discharges authorized herein shall be consistent with the terms and conditions of this permit. The discharge of any pollutant identified in this permit, more frequently than, or at a level in excess of, that authorized, shall constitute a violation of the permit.

It is the duty of the permittee to comply with all the terms and conditions of this permit. Any noncompliance with the Effluent Limitations, Special Conditions, or terms of this permit constitutes a violation of the NREPA and/or the Clean Water Act and constitutes grounds for enforcement action; for permit or Certificate of Coverage (COC) termination, revocation and reissuance, or modification; or denial of an application for permit or COC renewal.

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

2. Operator Certification

The permittee shall have the waste treatment facilities under direct supervision of an operator certified at the appropriate level for the facility certification by the Department, as required by Sections 3110 and 4104 of the NREPA. Permittees authorized to discharge storm water shall have the storm water treatment and/or control measures under direct supervision of a storm water operator certified by the Department, as required by Section 3110 of the NREPA.

3. Facilities Operation

The permittee shall, at all times, properly operate and maintain all treatment or control facilities or systems installed or used by the permittee to achieve compliance with the terms and conditions of this permit. Proper operation and maintenance includes adequate laboratory controls and appropriate quality assurance procedures.

4. Power Failures

In order to maintain compliance with the effluent limitations of this permit and prevent unauthorized discharges, the permittee shall either:

a. provide an alternative power source sufficient to operate facilities utilized by the permittee to maintain compliance with the effluent limitations and conditions of this permit; or

b. upon the reduction, loss, or failure of one or more of the primary sources of power to facilities utilized by the permittee to maintain compliance with the effluent limitations and conditions of this permit, the permittee shall halt, reduce or otherwise control production and/or all discharge in order to maintain compliance with the effluent limitations and conditions of this permit.

5. Adverse Impact

The permittee shall take all reasonable steps to minimize or prevent any adverse impact to the surface waters or groundwaters of the state resulting from noncompliance with any effluent limitation specified in this permit including, but not limited to, such accelerated or additional monitoring as necessary to determine the nature and impact of the discharge in noncompliance.

PART II

Section D. Management Responsibilities

6. Containment Facilities

The permittee shall provide facilities for containment of any accidental losses of polluting materials in accordance with the requirements of the Part 5 Rules (R 324.2001 through R 324.2009 of the Michigan Administrative Code). For a POTW, these facilities shall be approved under Part 41 of the NREPA.

7. Waste Treatment Residues

Residuals (i.e. solids, sludges, biosolids, filter backwash, scrubber water, ash, grit, or other pollutants or wastes) removed from or resulting from treatment or control of wastewaters, including those that are generated during treatment or left over after treatment or control has ceased, shall be disposed of in an environmentally compatible manner and according to applicable laws and rules. These laws may include, but are not limited to, the NREPA, Part 31 for protection of water resources, Part 55 for air pollution control, Part 111 for hazardous waste management, Part 115 for solid waste management, Part 121 for liquid industrial wastes, Part 301 for protection of inland lakes and streams, and Part 303 for wetlands protection. Such disposal shall not result in any unlawful pollution of the air, surface waters or groundwaters of the state.

8. Right of Entry

The permittee shall allow the Department, any agent appointed by the Department, or the Regional Administrator, upon the presentation of credentials and, for animal feeding operation facilities, following appropriate biosecurity protocols:

a. to enter upon the permittee's premises where an effluent source is located or any place in which records are required to be kept under the terms and conditions of this permit; and

b. at reasonable times to have access to and copy any records required to be kept under the terms and conditions of this permit; to inspect process facilities, treatment works, monitoring methods and equipment regulated or required under this permit; and to sample any discharge of pollutants.

9. Availability of Reports

Except for data determined to be confidential under Section 308 of the Clean Water Act and Rule 2128 (R 323.2128 of the Michigan Administrative Code), all reports prepared in accordance with the terms of this permit, shall be available for public inspection at the offices of the Department and the Regional Administrator. As required by the Clean Water Act, effluent data shall not be considered confidential. Knowingly making any false statement on any such report may result in the imposition of criminal penalties as provided for in Section 309 of the Clean Water Act and Sections 3112, 3115, 4106 and 4110 of the NREPA.

10. Duty to Provide Information

The permittee shall furnish to the Department, within a reasonable time, any information which the Department may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit or the facility's COC, or to determine compliance with this permit. The permittee shall also furnish to the Department, upon request, copies of records required to be kept by this permit.

Where the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the Department, it shall promptly submit such facts or information.

PART II

Section E. Activities Not Authorized by This Permit

1. Discharge to the Groundwaters

This permit does not authorize any discharge to the groundwaters. Such discharge may be authorized by a groundwater discharge permit issued pursuant to the NREPA.

2. POTW Construction

This permit does not authorize or approve the construction or modification of any physical structures or facilities at a POTW. Approval for the construction or modification of any physical structures or facilities at a POTW shall be by permit issued under Part 41 of the NREPA.

3. Civil and Criminal Liability

Except as provided in permit conditions on "Bypass" (Part II.C.9. pursuant to 40 CFR 122.41(m)), nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance, whether or not such noncompliance is due to factors beyond the permittee's control, such as accidents, equipment breakdowns, or labor disputes.

4. Oil and Hazardous Substance Liability

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee may be subject under Section 311 of the Clean Water Act except as are exempted by federal regulations.

5. State Laws

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable state law or regulation under authority preserved by Section 510 of the Clean Water Act.

6. Property Rights

The issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize violation of any federal, state or local laws or regulations, nor does it obviate the necessity of obtaining such permits, including any other Department of Environment, Great Lakes, and Energy permits, or approvals from other units of government as may be required by law.